



I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on 4-4-01

Paula F. Durr

Name of Person Mailing

Signature of Person Mailing

3761  
#5/Election  
mail  
4/25/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of :  
James W. Cree, et al. :  
Serial No. 09/304,716 : Group Art Unit 3761  
Filed May 4, 1999 : Examiner Shanoski  
For ABSORBENT ARTICLE :  
HAVING FUSED LAYERS :

P&G Case 4546RC2D

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This is responsive to the Office Action (paper no. 4 ) mailed January 11, 2001.

REMARKS

In the office action summary Claims 1 and 6-12 are indicated as pending in the application. Applicant would like to direct the Examiners attention to the preliminary amendment filed on May 4, 1999. In the aforementioned preliminary amendment Claim 1 was cancelled, and thus, is not pending.

In the detailed action, the application is alledged to contain claims directed to patentably distinct species of the invention:

Group I: Claim 1, and

Group II: Claims 6-11 ( claim 12 was ommited from this species).

Given the cancellation of Claim 1, Applicants do not see any necessity to make an election of species. However, in order to avoid any confusion and to progress with examination on the merits, Applicants hereby elect to prosecute Claims 6-12 as corresponding to a single disclosed species according to the Office Action.

RECEIVED  
APR 11 2001  
TC 3700 MAIL ROOM